

HIGHLIGHTS
INDIANA PUBLIC DEFENDER COMMISSION
AGENDA
June 27, 2007

- 1) Introduction of new members by Interim Chairman, Judge Daniel Donahue
Mark Rutherford, Esq.
Peter Nugent, Esq.
Rep. Amos Thomas
Unable to attend: David Hensel, Esq. and Rep. Phil Hoy
- 2) Approval of Minutes from 4/11/2007 Meeting
Approved as written.
- 3) Task Force to Study Indigent Defense in Indiana
Chief Justice Shepard was present and talked about the necessity of a statewide task force.
- 4) Financial Status of Public Defense Fund
At this time the Fund has a balance of \$11,862.88 and will receive a distribution from the State of \$7,250,000 on July 1, 2007.
 - A. Summary of actual expenses for past 3 fiscal years
Commission Staff prepared and distributed a summary of quarterly non-capital expenses, requests and receipts by each county in the Fund for the fiscal years 04-05, 05-06, and 06-07.
- 5) Requests for 50% Reimbursement in Capital Cases
All requests for reimbursement were approved. The total of requests to be paid this quarter is \$113,778.91.
- 6) Requests for 40% Reimbursement in Non-Capital Cases
All requests for reimbursement in non-capital cases were approved. The total of requests to be paid this quarter is \$3,294,981.74.
 - A. Updated Summary of Response to 90-Day Notice (10 Counties)
Commission Staff is keeping track of county compliance with caseload standard for counties who received notice of non-compliance and possible termination of reimbursement from the Fund. Each county's plan and time table for improvement of caseload compliance is compared to actual caseload figures quarterly.
- 7) Comprehensive Plans: Fayette (amended), and Adams (amended)
Amended Comprehensive Plans for Fayette and Adams Counties were approved.
- 8) Additional Staff Attorney
An additional staff person will be hired and the choice of whether this position will be filled with an attorney or an accountant is to be decided by STAD executive director and Commission staff counsel.
- 9) Policy Matters:
 - A. Standard H - \$60 Hourly Rate for Assigned Counsel
 - a. *A study of present rates paid by counties will be conducted and a notice to counties that the rate may change in the future will be distributed.*

B. Supplemental Public Defense Funds

- a. *Staff will conduct a study of how counties use and fund their Supplemental Public Defense Services Fund.*

Non-Agenda Issues:

Clark County *is out of compliance with Standard J. They will be issued a 90-day Notice.*

Contract Counsel/Assigned Counsel: *The Commission considered the issue of contract counsel reaching their maximum caseloads and then taking assigned cases as private attorneys. The Commission wants a study of which counties are using this practice and of which attorneys are public defenders in more than one county. The Commission agreed that all public defense cases must be reported and counted toward an attorney's maximum allowable caseload.*

10) For Your Information:

- New Monies issued by Legislature to Reimburse Counties for Re-trials;
- July 1, 2007 salaries for Judges and Prosecutors;
- Studies on State Indigent Defense Costs (available at meeting);
- Updated Commission Members List.

11) Meeting Dates for 2nd and 3rd quarters of 2007

<i>2q</i>	<i>Wednesday September 26, 2007</i>	<i>2:00 p.m.</i>
<i>3q</i>	<i>Wednesday December 12, 2007</i>	<i>2:00 p.m.</i>
<i>4q</i>	<i>Wednesday March 26, 2008</i>	<i>2:00 p.m.</i>
<i>1q</i>	<i>Wednesday June 25, 2008</i>	<i>2:00 p.m.</i>
<i>2q</i>	<i>Wednesday September 24, 2008</i>	<i>2:00 p.m.</i>
<i>3q</i>	<i>Wednesday December 10, 2008</i>	<i>2:00 p.m.</i>